



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No. 15

COPY MAILED

NOV 10 2004

OFFICE OF PETITIONS

Youti Kuo
88 Foxbourne Road
Penfield, NY 14526

In re Application of :
Kuo : DECISION ON PETITION
Application No. 09/853,803 :
Filed: May 14, 2001 :
For: HANDHELD DIAGNOSTIC DEVICE :
WITH RENEWABLE BIOSENSOR :

This is a decision on the renewed petition under 37 C.F.R. § 1.137(b), filed October 28, 2004, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned October 18, 2003 for failure to timely reply to the non-final Office action mailed July 17, 2003. The Notice set a three (3) month shortened statutory period of time for reply. No extensions of time in accordance with 37 C.F.R. § 1.136 were timely requested. Notice of Abandonment was mailed March 8, 2004. A petition under 37 C.F.R. § 1.137(b) was filed September 10, 2004 and was dismissed October 14, 2004.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

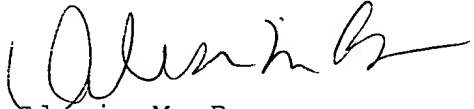
The instant petition has been reviewed and found in compliance with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the failure to timely submit a proper reply to the non-final Office action is accepted as having been unintentionally delayed.

Application No. 10/853,803

2

This application will be forwarded to Technology Center 3700 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Alesia M. Brown', with a stylized flourish at the end.

Alesia M. Brown
Senior Petitions Attorney
Office of Petitions